

**REMARKS**

Claims 1-18 are pending in this application. Claims 1, 2, 4, and 8-18 stand rejected. Applicant wishes to thank the Examiner for the indication of allowance of claims 3 and 5-7. In light of the remarks set forth below, Applicant respectfully submits that each of the pending claims is in immediate condition for allowance.

Claims 1, 2, 10, 11, and 13-18 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,621,895 ("Giese"). Applicant respectfully requests reconsideration and withdrawal of this rejection.

Among limitations of independent Claim 1 not present in the cited reference is a service broker device at a functional host layer of said network service management device, the service broker device receiving service information on services which can be provided by the respective domains and domain information which are output from the network service management device which belongs to each of the proprietors. As set forth in the claim, the service broker receives service information and domain information out from the network service management device.

In the present invention, the service broker device at a functional host layer of the network service management device receives the service information and domain information from network service management devices incorporated within operations management networks managed by different providers, and the service broker device performs brokerage to select a network service management device incorporated within an operations management network managed by another provider, with which interconnection is to be established, for ensuring an end-to-end quality level required by the customer based on the service information and domain information.

With respect to rejection and the Examiner's Responses to Arguments beginning on page 3 of the Office Action, the Examiner asserts that "[t]he exchange

agent is part of the functional layer of the enhanced communications service layer, which is analogous to a service management device". However, the exchange agent of Giese is provided in the enhanced communications service ("ECS") layer as shown in FIG. 2. The exchange agent is not provided at a functional host layer of the ECS layer.

In contrast, in the present invention, the service broker device is provided at a functional host layer of the network management devices. Thus, at best, the service broker device of the present invention is provided at a functional host layer of the ECS layer in Giese.

The Examiner also asserts that "the exchange agent receives service information... and domain information", citing column 13, lines 21-57 of Giese. However, this portion of Giese does not disclose such a technical idea. Geise discloses that an exchange agent negotiates with another peer exchange agent.

In contrast, in the present invention, a service broker device does not negotiate with another peer service broker device; rather the service broker device communicates with a network service management device which is provided at a functional subordinate (or lower/inferior) layer.

It appears that the Examiner's position is that the exchange agent selects route information. However, the exchange agent 12 is path independent (column 12, lines 56-57 of Giese), and path associated functions are performed by the transport agent 14 (column 12, lines 60-63 of Giese), which is provided in the ECS layer in the same manner as the exchange agent 12 (FIG. 2 of Giese).

Claims 8 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Giese in view of Graham. Applicant respectfully requests reconsideration and withdrawal of this rejection.

In addition to the reasons discussed above whereby Giese fails to disclose all of the limitations present in Applicant's claims, Applicant further submits, as discussed below, the combination of Giese of Graham fails to disclose the invention set forth in Applicant's claims.

With respect to Section ID of the Office Action, Graham is directed to an enhanced registry mechanism that can broker requests and responses among many different protocols (column 2, lines 22-24). Therefore, the technical field of Graham is significantly different from that of Giese, which is directed to the negotiation of service level agreements so as to reflect application session requirements among exchange agents. Therefore, a person having ordinary skill in the art would not have been motivated to combine Graham with Giese. Moreover, Graham is different from the present invention, which brokers a service level agreement through the service broker device provided at a functional host layer of network service management devices which manage operation management networks of providers. Therefore, even if Graham were combined with Giese, Graham cannot remedy the deficiency of Giese.

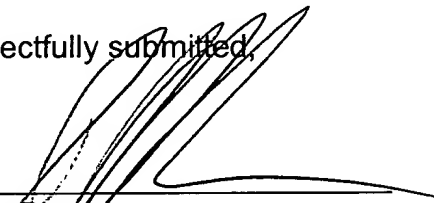
Applicant has responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

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Respectfully submitted,

By   
Ian R. Blum

Registration No.: 42,336  
DICKSTEIN SHAPIRO LLP  
1177 Avenue of the Americas  
New York, New York 10036-2714  
(212) 277-6500  
Attorney for Applicant

IRB/mgs